

Charles C. SCHUYLER
Serial No. 09/988,222

- (iv) a cylindrical neck member integrally depending from said support flange, and
- (v) a series of radially extending buttresses joined to said stationary ring member and said annular base member, wherein
- (vi) said neck member is slideably received within said stationary ring member so as to move the support flange towards and away from said filter body and thereby establish respective lesser and greater axial dimensions of said filter cartridge.

Please cancel claims 25 and 31.

REMARKS

Favorable reconsideration and allowance of this application are requested.

The specification has been amended so as to conform the reference numerals in the paragraph on page 6, lines 19-26 to those shown in FIGURE 3. In addition, the typographical error in that same paragraph helpfully identified by the Examiner has been corrected. The U.S. patent status of the application cited on page 12 has been updated. As such, it is believed that the disclosure and drawing objections noted in paragraphs 1 and 3-5 of the subject Official Action have been mooted.³

A new Abstract has been proposed in Appendix III as a separate last page hereto. The proposed Abstract is believed to comply in all respects with MPEP §608.01(b).

Claim 22 has been amended so as to include therein the subject matter of claim 25. As such claim 25 has been cancelled as redundant. Hence, claims 22-24 and 26-

³ Since no error was in fact present in original FIGURE 3, but instead appeared in the paragraph on page 6 of the specification, no proposed drawing revision is needed and hence none is submitted herewith. Therefore, no issue of abandonment should arise by virtue of this lack of proposed drawing revision as stated in paragraph 5 of the Official Action.

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30 are believed to be allowable in view of the Examiner's statement in paragraph 39 of the Official Action.

Claim 1 has been amended so as to include the subject matter of claim 2 and to emphasize that one of the stationary ring member and the moveable connection member includes a pair of cross-supports as disclosed at page 7, lines 7-12, and page 8, lines 21-23, for example. Claim 2 has been cancelled and the dependencies of claims 4 and 14 changed accordingly. Thus, the Examiner's objection raised under 35 USC §1.75(c) has been mooted.⁴

The only issue remaining to be resolved in this application is the Examiner's art-based rejections. In this regard, applicant notes that the amended version of claim 1 is patentably distinguishable over Connors et al (WO 97/24169) in that the latter does not disclose or suggest that one of the stationary ring member and the moveable connection member includes a pair of cross-supports. While Connors et al does disclose a handle member 24 and 124 may be provided, pairs of cross-supports are not disclosed or suggested therein. Clearly there is no suggestion of the moveable connection member itself being provided with a pair of cross-supports.

Withdrawal of all art-based rejections of record is therefore believed to be in order.

⁴ It is noted, however, that such an objection should not have been raised in the first instance since the form of claims 5-8 and 15 was entirely sanctioned by 37 CFR §1.75(c) and MPEP §608.01(n). Specifically, each of claims 5-8 and 15 was dependent from only a *single* claim – i.e., claims 4 and 14, respectively – which itself was multiply dependent. Thus each of claims 5-8 and 15 is not itself a multiply dependent claim since it does not “...refer back in the alternative to more than one preceding independent or dependent claim.” MPEP 608.01(n) Thus, each of claims 5-8 and 15 was properly dependent from a multiply dependent claim as originally filed.

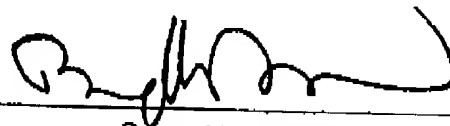
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Every effort has been made to advance prosecution of this application to allowance. Thus, in view of the amendments and remarks provided herewith, early receipt of the Official Allowance Notice is solicited. Such early and favorable action is therefore requested.

Respectfully submitted,

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